

REMARKS

The Applicants thank the Examiner for her review of the amended claims submitted with the Applicants' Preliminary Amendment of March 9, 2004. In the present Office Action, the Examiner objects to claim 7 as containing informalities. Additionally, the Examiner rejects claims 2, 4, 5, 7 and 10 under 35 U.S.C. § 112. The Examiner also rejects claims 1, 4 and 5 under 35 U.S.C. § 101. Finally, the Examiner allows claim 6 and indicates that claims 1-5, 7 and 10 would be allowable if rewritten or amended to overcome the §§ 112 and 101 rejections. In light of the above, the Applicants have further amended the claims as suggested by the Examiner. The Applicants believe that the amended claims are now allowable and requests reconsideration of the Examiner's objection and rejections.

Claim Objection:

The Examiner objects to claim 7 as it recited "wherein said standardized said administrative data format." In response, the Applicants have removed the "said" from between "standardized" and "administrative." The claim now recites "...wherein said standardized administrative data format." Applicants believe that they have addressed the Examiner's objection with the foregoing amendment.

Claim Rejections – 35 U.S.C. § 112

The Examiner rejects claims 2, 4 and 5 as "said medical service provider system" lacks proper antecedent basis. In response, the Applicants have deleted "medical" so the claims recite "said service provider system." Applicants note that claim 1 contains the term "service provider systems" providing the proper antecedent basis.

Likewise, the Examiner rejects claim 7 and 10 as the term "the medical practice agent systems" lack proper antecedent basis. The Applicants have inserted the term "management" between "practice" and "agent" so claim 7 recites "the

medical practice management agent systems” which is found in claim 7. Claim 10 depends from amended claim 7 and meets the requirements of § 112.

Claim Rejections – 35 U.S.C. § 101

The Examiner rejects claims 1, 4 and 5 as the claimed invention is directed to non-statutory subject matter. The Applicants have amended claim 1 to clarify which entity performs the claimed steps and what means are used to perform the steps. For example, the coordinator system defines the standard administrative data formats through the use of software on a computer. Applicants have made this amendment for the steps the Examiner has indicated are allowable i.e., defining the data formats, tracking formatted data, creating evaluation data and providing evaluation data to a service provider system. Applicants believe that its amendments have addressed the Examiner’s contention that the recited steps can be performed in the mind of the user or by the use of pencil and paper and that claim 1 recites statutory subject matter. Claims 4 and 5 depend from amended claim 1 and recite statutory subject matter.

Allowable Subject Matter

The Examiner indicates that claims 1-5, 7 and 10 would be allowable if rewritten or amended to overcome the §101 and §112 rejections in the present Office Action. Specifically, the Examiner indicates that claims 1-5 would be allowable for the steps of defining the data formats, tracking formatted data, creating evaluation data and providing evaluation data to a service provider system.


As discussed above, the Applicants have amended the claims to overcome the §101 and §112 rejections. The Applicants have also amended claim 1 so that it recites only the steps the Examiner has indicated are allowable. The Applicants believe that claims 1-5, 7 and 10 are now allowable and respectfully request reconsideration of the Examiner’s rejections.

Claim 6

The Applicants acknowledge the Examiner's allowance of claim 6 and thanks the Examiner for her consideration.

No fees are considered to be due; however, if it is determined that payment of a fee is required, please charge our Deposit Account No. 13-0235.

Respectfully submitted,

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